



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 23 1997

REPLY TO THE ATTENTION OF:  
(AE-17J)

David Kolaz, Chief  
Bureau of Air  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276

**Re: Notice of Violation / Finding of Violation  
Accurate Coatings and Dispersions, Inc.  
South Holland, Illinois**

Dear Mr Kolaz:

Enclosed is a copy of a Notice of Violation and a Finding of Violation issued this date by the United States Environmental Protection Agency (U.S. EPA) to Accurate Coatings and Dispersions, Inc. (Accurate) in South Holland, Illinois, for violations of the Illinois State Implementation Plan (SIP) and of Subchapter V of the Clean Air Act. This Finding and Notice have been issued pursuant to Section 113(a) of the Act, 42 U.S.C. § 7413(a).

Specifically, Accurate is in violation of the following:

1. 42 U.S.C. § 7661a for operating a subject source without a Title V permit.
2. 35 IAC § 218.624 which states: no person shall operate an open-top mill, tank, vat or vessel with a volume of more than 12 gallons for the production of paint unless: (a) the mill, tank, vat or vessel is equipped with a cover that completely covers the mill, tank, vat or vessel opening except for an opening no larger than necessary to allow for safe clearance for a mixer shaft. Such cover shall extend at least 0.5 inches beyond the outer rim of the opening or be attached to the rim.; (b) The cover remains closed except when production, sampling, maintenance or inspection procedures require access.; (c) The cover is maintained in good condition such that, when in place, it maintains contact with the rim of the opening for at least 90 percent of the circumference of the rim.

3. The Federally Enforceable State Operating Permit (FESOP) for Plant 1 located at 192 W 155th Street, which incorporates the requirements of 35 IAC § 218.624. Pursuant to 40 C.F.R. § 52.23, violation of this FESOP is a violation of the SIP.

Section 113 of the Act provides U.S. EPA with several enforcement options including the issuance of an Administrative Order, an Administrative Penalty Order, or the commencement of civil or criminal actions. It is our hope that this Finding of Violation will substantially aid efforts to achieve immediate and continuous compliance, thereby preventing the need for further Federal action.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. B. Spyrakoulis, for". The signature is written in a cursive, somewhat stylized script.

David Kee, Director  
Air and Radiation Division

Enclosure

cc: Mel Villalobos, Regional Manager  
Illinois Environmental Protection Agency, Region I  
1701 South First Avenue - Suite 600  
Maywood, Illinois 60153

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF:	)	NOTICE OF VIOLATION
	)	
Accurate Coatings and Dispersions,	)	EPA-5-98-IL-2
Inc.	)	
South Holland, Illinois	)	
	)	
Proceedings Pursuant to	)	
Section 113 of the Clean Air Act,	)	
42 U.S.C. § 7413	)	

NOTICE OF VIOLATION

Pursuant to Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1), the State of Illinois and Accurate Coatings and Dispersions, Inc. (Accurate) are hereby notified that the Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, finds that Accurate, at its facility located in South Holland, Illinois, is in violation of the Illinois State Implementation Plan (SIP) adopted under the Act. More specifically, Accurate is in violation of 35 IAC § 218.624 and the requirements of its Federally Enforceable State Operating Permit (FESOP) for Plant 1 (Application No. 86070063) which incorporates the conditions of 35 IAC § 218.624. Pursuant to 40 C.F.R. § 52.23, violation of a FESOP is a violation of the SIP.

BACKGROUND

1. Accurate operates coating and dispersion (paint) manufacturing equipment at two plants (Plant 1 at 192 W. 155th Street and Plant 2 at 15530 LaSalle Street) which are located within a contiguous area and are under common control and ownership.
2. On May 24, 1996, the Illinois EPA (IEPA) issued to Accurate a FESOP for Plant 1 which requires that Accurate meet all requirements of 35 IAC § 218.624.
3. Pursuant to 35 IAC § 218.624, no person shall operate an open-top mill, tank, vat or vessel with a volume of more than 12 gallons for the production of paint unless: (a) the mill, tank, vat or vessel is equipped with a cover that completely covers the mill, tank, vat or vessel opening except for an opening no larger than necessary to allow for safe clearance for a mixer shaft. Such cover shall extend


at least 0.5 inches beyond the outer rim of the opening or be attached to the rim.; (b) The cover remains closed except when production, sampling, maintenance or inspection procedures require access.; (c) The cover is maintained in good condition such that, when in place, it maintains contact with the rim of the opening for at least 90 percent or the circumference of the rim.

4. The provisions of this rule apply to paint manufacturing sources in the six-county area, comprising Cook, DuPage, Kane, Lake, McHenry, and Will counties which have the potential to emit greater than 25 tons of volatile organic material (VOM) per year.

#### FINDING OF VIOLATION

5. On July 22, 1997, U.S. EPA inspectors observed at Plant 1 that one mixer with a capacity of approximately 1200 gallons was blending a solvent-based dispersion without a cover in place.
6. On August 19, 1997, U.S. EPA inspectors observed at Plant 1 that one mixer with a capacity of approximately 1200 gallons was blending a solvent-based dispersion without a cover in place.
7. These activities are in violation of the Paint and Ink Manufacturing Rule set forth at 35 IAC § 218.624 which was approved by U.S. EPA on September 9, 1994 as part of the Illinois SIP.

12/22/97  
Date

  
David Kee, Director  
Air and Radiation Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5


IN THE MATTER OF:	)	FINDING OF VIOLATION
	)	
Accurate Coatings and Dispersions,	)	EPA-5-98 IL-2
Inc.	)	
South Holland, Illinois	)	
	)	
Proceedings Pursuant to	)	
Section 113 of the	)	
Clean Air Act, 42 U.S.C. § 7413	)	

FINDING OF VIOLATION

Pursuant to Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3), the State of Illinois and Accurate Coatings and Dispersions (Accurate) are hereby notified that the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, finds Accurate's facility, located at 192 West 155th Street, South Holland, Illinois, in violation of the Clean Air Act. Specifically, Accurate is in violation of Section 502 of the Clean Air Act, 42 U.S.C. § 7661a, for operation of a major source without a permit issued pursuant to an approved 40 C.F.R. Part 70 operating permit program.

U.S. EPA has determined that Accurate Coatings has operated and continues to operate a major source without a Part 70 operating permit (Title V permit). Accurate's two facilities, located at 192 W. 155th Street (Plant 1) and located at 15530 Lasalle Street (Plant 2) are currently operating under two separate Federally Enforceable State Operating Permits (FESOPs). These two facilities constitute one "major source" as defined at 42 U.S.C. § 7661(2), and require a Title V permit. Specifically, Plants 1 and 2 are located in a severe ozone non-attainment area, are within a contiguous area, are under common control, and have the potential to emit more than 25 tons per year of volatile organic material (VOM). In order to obtain an application shield, Accurate should have submitted to the State of Illinois a complete application for a Title V operating permit no later than March 7, 1996.

12/22/97  
Date

  
David Kee, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Finding of Violation was sent by Certified Mail, Return Receipt Requested, to:

James Valukas, President  
Accurate Coatings and Dispersions, Inc.  
192 W. 155th Street  
South Holland, Illinois 60473

I also certify that a copy of the Finding of Violation was sent by first class mail to:

David Kolaz, Chief  
Bureau of Air  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Mel Villalobos, Manager  
Region 1 Office  
Illinois Environmental Protection agency  
1701 South First Avenue  
Maywood, Illinois 60153

on the 23 day of December 1997.



Betty Williams, Secretary  
Air Enforcement and Compliance  
Assurance (IL/IN)

P 847 315 322  
CERTIFIED MAIL NUMBER

standard bcc's: official file copy w/attachment(s)  
originators file copy w/attachment(s)  
originating organization file copy w/attachment(s)

other bcc's: J. Loughlin  
L. Penson  
J. Woolums (14-J)